

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

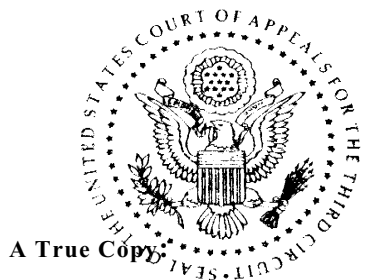
No. 05-3893

United States v. Carter

To: Clerk

1) Motion to Proceed in forma pauperis

The foregoing Motion is denied. The motion could not be granted since it is not accompanied by a properly completed affidavit in the form required by the Federal Rules of Appellate Procedure. However, the motion is unnecessary in this instance because appellant's status under the Criminal Justice Act has continued from the District Court in this instance.



Marcia M. Waldron

Marcia M. Waldron, Clerk

For the Court,

Clerk

Dated: October 6, 2005

PDB/cc: Mr. James C. Carter

Robert L. Eberhardt, Esq.

Laura S. Irwin, Esq.